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PEOPLE'S VOICE.

Official Paper
—OF—
Sumner County.

By LYMAN NAUGLE.

At War With Glass Legislation and Mal-Administration.

ONE DOLLAR PER YEAR.

VOLUME VII.

WELLINGTON, SUMNER COUNTY, KANSAS, THURSDAY, NOVEMBER 26, 1896.

NUMBER 15.

ROYAL
BAKING
POWDER
Absolutely Pure.

A cream of tartar baking powder. Highest of all in leavening strength.—Latest United States Government Food Report.
ROYAL BAKING POWDER CO., New York.

CITY AND COUNTY.

Take your pictures to Balding if you want them copied.

See Balding, the new photographer at the State National Art Gallery.

H. P. Hall was over from Carthage, Mo., last week circulating among old friends.

Charles Dodd of this city is now employed in Baden's packing house at Winfield.

Hood's Pills act easily and promptly on the liver and bowels. Cure sick headache.

So Balding, of Carthage, Mo., was in the city last week showing after his land interests.

The first dividend of the Sumner National bank due the county has been received. It amounts to \$2,032.32.

L. W. Balding is prepared to do the best of work at the lowest prices. Call and see him at the State National Art Gallery.

C. A. Gambrell, C. E. Elliott, W. T. McBride and Wm. Geline have returned from a hunting trip in the Osage country. They report lots of game there.

Spasmodic attacks of religion don't amount to much, neither does spasmodic advertising. Keep your ad. going all the time, even if only in two lines of space.

Blood is life and upon the purity and vitality of the blood depends the health of the whole system. Experience proves Hood's Sarsaparilla to be the best blood purifier.

H. F. Harbaugh is not a shiner, but is a man of good horse sense and won't go crazy over his success. He turned down one of the best men in this district.—Oxford Register.

Sam Jones in the lecture course December 7, 8 p. m.

From now to December 15th \$10 will pay for a full course of instruction at the Dress-Cutting School, after which date it will cost you the regular price of \$12.50. 4t 14

L. W. Balding has opened the old State National Art Gallery over the Farmers' bank. He has been in the photograph business for many years and we feel confident he will give entire satisfaction.

A note of \$268.75 has been sued on by the county attorney. The note was given by Barne O'Connor, S. H. Horn and Henry Snitler as security for the payment of costs in O'Connor's trial for violating the liquor law.

We will pay a salary of \$35 per month and expenses for man with rig to advertise our goods in the country. Only honest and energetic men wanted. Address Perfection Egg Producer Co., Parsons, Kansas. 13 tf

The Johnny Pringle Comedy company will give a week of plays at the opera house beginning December 21st (Christmas week). The price of admission will be 10, 20 and 30 cents. This company comes well recommended and our people may expect some good plays.

Probate Judge-elect Doubleday of Bluff township was in town Saturday mingling with friends and telling them how it was done in Sumner county. We didn't get a chance to ask him if he was going to give cut rates on marriage license or not when he takes charge of his office.—Caldwell News.

Thursday's Wichita Eagle contained a great write-up on Lester Simpson, Jerry's son. The Eagle makes Lester only 16 years of age but has him winning over \$300 on his father's election. Lester says he is

sorry that the Eagle's story is not correct but he couldn't make his pocket-book correspond with the Eagle article no matter how good his intentions might be.—Medicine Lodge Index.

S Crane's book store was burglarized Sunday night of \$140 worth of gold pens and \$1.25 in cash. Mr. Crane thinks the burglar had concealed himself in the store before it was closed. Then all he had to do was to help himself and turn the key in the back door and retire.

Some Kansas papers have been abusing Kansas steadily for years. Now try booming your own town and state awhile and see if you don't begin to take in more dollars than you used to. Stand up for Kansas. Yank the sour wrinkles out of your face and look cheerful if you can't do anything else.—Topeka Journal

Among the certificates for normal institute conductors, recently issued by the state board of education, the following Sumner county teachers are mentioned: Profs. Bear and Butcher of Wellington, for five years; Prof. Swain of Caldwell, for one year. Instructors' certificates, one year: Profs. W. M. Massey Belle Plaine and A. O. Holliday, Dalton.

Grandma Clark died at the home of her son, L. V. Clark, last Monday, November 16, after an illness of several months. Funeral services conducted by Elders Dorman and Howard of the Baptist church, were held at the residence of L. V. Clark Thursday morning and a large number of neighbors and friends were there and followed the remains to their last resting place in the Conway Springs cemetery.—Conways Springs Star.

Lewis, the youngest son of Mr. and Mrs. R. H. Hansberger, was badly hurt late Thursday evening by the accidental discharge of a shotgun, which had been left loaded unknown to either of the parents. The charge struck the child in the face, but Dr. Goldsberry hopes that neither eye was destroyed. We failed to get the facts in time to give particulars. But the report that the gun was in the hands of a brother is a mistake.—Conway Springs Star.

Born to Mr. and Mrs. Thomas Taylor, Monday night, November 16, twin boys. Mr. Taylor is teaching school in the Meyer district and lately moved here from Belle Plaine. He says he was expecting McKinley to make his appearance at his place but he had no thought of Hobart coming also. One of the boys weighs 6½ and the other 7½ pounds. Just as we go to press the doctor informs us that the babies are getting along nicely, but the mother is in a precarious condition.—Conway Springs Star.

A large party of the friends of Mr. and Mrs. W. M. Copeland invaded the privacy of their home Tuesday evening, loaded with oysters and kind intentions, "and just painted things red." Until exhausted nature rung down the curtain they kept right on helping Mr. Copeland feel good over his election. Departing they all wished the family a full share of all the good things of life. The Copelands will soon remove to Wellington. We bespeak for them a warm welcome and commend them to the good people of our county seat as every way, worthy their confidence and esteem. And when Mr. C. has "served time" as district clerk, and all his rights restored, he and his family will find a genial and hearty welcome upon their return to their home at Oxford.—Oxford Register.

Sam Jones' lecture—Get there and stay there—December 7 at 8 p. m.

Reform Press Association.
I am directed by the Executive committee of the Kansas Reform Press Association viz: Geo. Wagner, Topeka, A. C. Pattee, Junction City and J. M. Lewis, Kinsley, to call the annual meeting of the association to convene in Topeka on Wednesday, January 13, 1897, at 9 o'clock a. m. It is urged that every member of the association shall make it a point to be present at this meeting. The legislature will then be in session and an opportunity will be afforded to look in upon that body.

The arrangement of a program for the meeting has been left in the hands of Geo. Wagner of the Executive Committee. There will be many themes of importance for discussion at this time. The annual election of officers will also take place. Let all attend.

LYMAN NAUGLE, Secy.
Reform papers please copy.

The County's Money.

Mail, Friday.

The board of county commissioners has been in session today considering the advisability of bringing suit on the bonds to recover the county money on deposit in the First National and Sumner National banks at the time they failed. They have given considerable time and thought to this subject, but are still undecided as to what to do.

We still stand by our original proposition that it is worse than useless to bring these suits—at this time. The United States government, through its officers, is pursuing the usual course of collecting this money for the county, without any expense whatever to the taxpayers. A dividend of ten per cent, has already been declared upon the amount due from the Sumner National bank. In due course of time, the greater part of both claims will be paid by the receiver of each bank. In the meantime the county is not needing this money for immediate use and it is bearing interest while the cash the county has on hand is not.

But the commissioners seem to have decided to bring suit, notwithstanding these considerations. A new idea was presented to them this morning however. It is now known that Ivan D. Rogers and Judge J. T. Herrick are to form a partnership and that Judge Herrick will be deputy county attorney. This forenoon Mr. Rogers came before the board and stated to them that he would, as county attorney after January 11, 1897, he considered it only fair to say to them that in his opinion the county attorney had the legal right to take charge and control of these suits, no matter what court they might be pending in, and that the commissioners had no authority to exclude him from the suits; that while the county attorney could not collect any additional salary for any services rendered outside of the county, yet he could not be deprived of his fee of five per cent, of the amount of money collected upon these bonds if he saw fit to take charge of the suits. He further said that when he became county attorney he expected to take charge of and to attend to all the business pertaining to that office.

The injection of this point into the question put an entirely new phase on the whole situation. The county's claims against the two banks will aggregate \$40,000 by the time they are collected. Five per cent of this amount would be \$2,000 in round numbers. If the county attorney has a legal right to this \$2,000 in fees, independent of the board's wishes, then the idea of paying outside attorneys \$2,000 to \$2,500 in special fees would show up in an entirely different light. The board hesitated and called on County Attorney Woods for legal advice.

Mr. Woods advised the board that the county attorney alone and not the county commissioners had the authority to decide whether these bonds should be sued upon and that the county attorney had the legal right to bring the suits irrespective of the wishes of the board in the premises. On the presumption that the suit would be brought in the United States court to start with and all the services of the county attorney would necessarily be rendered outside of the county, he was unprepared to say whether the county attorney would be entitled to five per cent of the amounts collected, but thought he would have a very good fighting show for it.

[Mail, Saturday.]

Another chapter was added yesterday afternoon to the history of Sumner county's \$40,000 that is tied up in the defunct First National and Sumner National banks. When the county commissioners met in the afternoon County Attorney Woods advised them that if suits should be brought on the bonds of these banks in the United States court at Wichita that when Ivan D. Rogers became county attorney in January he would have no right to take charge of the cases and that if he did go into them he could not collect the statutory commission of five per cent on the money collected by reason of the suits.

A question by Chairman Griffith brought an answer from Woods that struck us as announcing a very peculiar proposition. It was that he as county attorney has the right to sue on these bonds at once in the United States court, independent of any action the part of the commissioners and regardless of their wishes and that as county attorney he can absolutely control these suits. But when he is succeeded by Rogers in January, Rogers

will have no right to step into his place and take charge of these cases. Our idea has always been that one individual has just as much power and authority and as many rights in any given office as any other individual in the same office. The law deals with the office and not with the individual who happens to fill it for the time being. We believe that Woods is right in his contention that he has the right to do as he pleases about bringing these suits, independent of the county commissioners. We also believe that when Rogers becomes county attorney, if he sees fit to take charge of these cases in the United States court he has the right to do so and that he would be entitled to five per cent, of all the money collected on these bonds during his term of office.

There is a very clear and marked distinction between what the county attorney is required by law to do and what he may choose to do in reference to county suits pending in courts outside the county. He cannot be compelled to go beyond his county to attend to such litigation; but if he sees proper to do so, who is to say him nay? The supreme court has said: "The county attorney derives his authority from as high a source as the county commissioners do theirs. He is elected by the people of the county, and for the county; and he cannot be superseded or ignored by the county commissioners." And again the same court has said: "A county attorney is not required by law to go beyond the limits of his county to do business for his county, but if he does he may be allowed a reasonable compensation for his service, in addition to his salary."

But after giving this advice to the commissioners, Woods informed them that he desired to see them privately upon this matter. Then came a proceeding that would be remarkable and startling had it not become so common. For almost four hours a "star chamber" session was held in the county attorney's office behind closed doors. The county commissioners' business is the county's business. It is the business of the public. The commissioners have no greater interest in it than any other citizen. The law contemplates that their meetings shall be public. Presuming that their actions will be honorable and honest, there is no good reason for "star chamber" sessions. Such proceedings are very liable and well calculated to give rise to the suspicion that some scheme is under discussion that will not bear public scrutiny and the broad light of day. We do not mean to say that there was a job to be put through yesterday, but the proceedings were exactly those that are resorted to in "jobbing" times.

After being closeted for some time, Woods went down town and returned with J. T. Herrick, James Lawrence and W. W. Schwinn. A long conference was held between these gentlemen, when the commissioners emerged from the county attorney's office and stood around like wall flowers for more than an hour.

Finally they were again summoned to the county attorney's office and another conference held, which lasted nearly an hour. Then the whole party fled into the commissioners' room and W. W. Schwinn sat down and commenced to write.

His product proved to be a joint proposition from J. T. Herrick, James Lawrence, H. L. Woods and W. W. Schwinn to sue on these bank bonds in the United States court at Wichita. Their compensation was to be two per cent, of the full amount claimed by the county to be paid as soon as the suits were filed; an additional two per cent, of the amounts for which they might recover judgment at Wichita, to be paid when the judgments were rendered, and, if an appeal should be taken, then an additional one per cent, of the amount finally recovered.

SATURDAY,
NOVEMBER 28TH,
ON SALE
8,700 YARDS
CHOICE STYLES
AMERICAN INDIGO
BLUE CALICOS
3 cents a Yard.



Startling
Cloak Announcement
Friday and Saturday
November 27 and 28.
We offer 25 per cent. Discount or one-fourth off regular price on our entire stock of Cloaks, Capes and Jackets.

FRIDAY AND SATURDAY,
NOVEMBER 27 AND 28,
GREAT DISCOUNTS IN
DRESS GOODS
AND **SILKS**
Everybody should attend these great sales.
We hold the key to the situation and will let you in on the ground floor.
JACOB ENGLE.
WELLINGTON, KANSAS.

not have to go outside of this county and if he did not work in the case he couldn't get the fees. Woods said nothing. Murphy asked them to indemnify the county from having to pay this five per cent. to the county attorney as well as five per cent. to them under this proposed contract. Of course they refused to do so.

Finally Mr. Espy moved that the proposition be accepted. He voted for it; Murphy voted against it. Chairman Griffith explained his views in a few words and voted against the motion. Espy displayed great anxiety to have something else done and Woods couldn't restrain his indignation. He stated that he would sue on these bonds at once and when the time came he would have in a claim himself for that five per cent. commission. The board adjourned until the next regular meeting.

We are satisfied that the county will lose nothing by the action of the commissioners. If County Attorney Woods wants to sue on these bonds, let him do so. We are fully satisfied that some county attorney or attorneys will get five per cent. of all

money's collected from these banks after these suits are brought. We believe further that Rogers and Herrick will take charge of these suits for their chances of getting these fees and without any extra compensation from the county. If they or any incumbents of the county attorney's office really need any help, the commissioners can employ it, when the demand for it arises for much less than this proposed contract called for,

Some of the Kansas papers are doing the state more injury now than all the drouths and hot winds ever did. If these papers cannot speak well of and stand up for the state the sooner the people kill them off the better. We hope the people of the state will neither take nor lend their support in any way to a paper that is always belching up a tale of woe and spewing out defamatory slop about the state. Kansas is the equal of any state in the union, in any way you look at her, and loyal Kansans do not have to be reminded of this fact every time the wind changes, either.—Conway Springs Star.